

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KILTER INDUSTRIES, INC.,

Plaintiff,

-v-

AVON PRODUCTS, INC. and PETER
WAXMAN,

Defendants.

USDS SDNY
DOCUMENT
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DATE FILED: 8/20/10

No. 09 Civ. 3490 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

On August 20, 2010, the Court held oral argument on Defendants' motion to dismiss the first amended complaint. For the reasons stated on the record, IT IS HEREBY ORDERED THAT the motion is denied, and the clerk of the court is respectfully directed to terminate the motion located at Doc. No. 40.

IT IS FURTHER ORDERED THAT, by September 10, 2010, the parties shall submit a joint letter that (1) appries the Court of the date by which Defendants will answer the complaint and file counterclaims, if any, (2) proposes a discovery schedule, and (3) states whether the parties are requesting a settlement conference, either with the Court or Magistrate Judge Dolinger.

SO ORDERED.

Dated: August 20, 2010
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE